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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/987,892	11/16/2001	Mitsutaka Nakamura	1095.1204	7562
21171	7590	01/04/2005	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			HAMZA, FARUK	
			ART UNIT	PAPER NUMBER
			2155	

DATE MAILED: 01/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/987,892

Applicant(s)

NAKAMURA, MITSUTAKA

Examiner

Faruk Hamza

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on ____ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

1. This action is responsive to the application filled on July 04, 2001. Claims 1-10 are now pending.

Claim Objections

2. Claims 5,6 and 8 are objected to because of the following informalities:
Words need space in between. Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-3,5,6 and 9 recites the limitation "at the time of" in lines 8,18,26,20,5 and 9 respectively. There is insufficient antecedent basis for this limitation in the claim.

5. Claim 10 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The last part of the claim is written in incomprehensive language. Appropriate correction is required.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

7. Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Dodd (U.S. Patent Number 6,321,211).

- <Claim 1>

A method for delivering messages, the method comprising the steps of:

accepting an article to be delivered;

accepting an electronic message by associating the electronic message with the article; and

sending the electronic message associated with the article to a receiver of the article at the time of receiving notification that delivery of the article is completed. (Column 2, lines 13-34; Column 4, lines 63-67)

- <Claim 2>

A method for delivering messages, the method comprising the steps of:

accepting an article to be delivered;

accepting an electronic message by associating the electronic message with the article; and

sending the electronic message associated with the article to a terminal of a deliverer who delivers the article at the time of shipping the article to deliver. (Column 2, lines 13-34; Column 4, lines 63-67)

- <Claim 3>

A method for delivering messages, the method comprising the steps of:

accepting information regarding an article to be delivered and an electronic message associated with the article from a server; and

sending the electronic message associated with the article to a receiver of the article at the time of accepting input which indicates that delivery of the article is completed. (Column 2, lines 13-34; Column 4, lines 63-67).

- <Claim 4>

A method for delivering messages, the method comprising the steps of:

accepting an article to be delivered;

accepting an electronic message by associating the electronic message with the article; and

permitting updating the electronic message associated

with the article before receiving notification that delivery of the article is completed. (Column 2, lines 13-34; Column 6, lines 27-38)

- <Claim 5>

A program executed on a computer for delivering messages, the program comprising:

a section for causing the computer to function as a unit for accepting an article to be delivered

a section for causing the computer to function as a unit for accepting an electronic message by associating the electronic message with the article; and

a section for causing the computer to function as a unit for sending the electronic message associated with the article to a receiver of the article at the time of receiving notification that delivery of the article is completed. (Column 2, lines 13-34; Column 7, lines 33-67)

- <Claim 6>

A program executed on a computer for delivering messages, the program comprising:

a section for causing the computer to function as a unit for accepting an article to be delivered;

a section for causing the computer to function as a unit
for accepting an electronic message by associating the electronic message with
the article; and

a section for causing the computer to function as a unit for sending the
electronic message associated with the article to a terminal of a deliverer at the
time of shipping the article to deliver. (Column 2, lines 13-34; Column 7, lines
33-67)

- <Claim 7>

A program executed on a computer for delivering messages, the
program comprising:

a section for causing the computer to function as a unit for accepting
information regarding an article to be delivered and an electronic message
associated with the article from a server; and

a section for causing the computer to function as a unit
for sending the electronic message associated with the article to a receiver of
the article at the time of accepting input which indicates that delivery of the
article is completed. (Column 2, lines 13-34; Column 7, lines 33-67)

- <Claim 8>

A program executed on a computer for delivering messages, the
program comprising:

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A section for causing the computer to function as a unit for accepting an article to be delivered;

A section for causing the computer to function as a unit for accepting an electronic message by associating the electronic message with the article; and

A section for causing the computer to function as a unit for permitting updating the electronic message associated with the article before receiving notification that delivery of the article is completed. (Column 2, lines 13-34; Column 7, lines 33-67; Column 6, lines 27-38)

- <Claim 9>

A unit for delivering messages, the unit comprising:

a section for accepting information regarding an article to be delivered and an electronic message associated with the article from a server; and (Column 2, lines 13-34)

a section for sending the electronic message associated with the article to a receiver of the article at the time of accepting input which indicates that delivery of the article is completed. (Column 6, lines 18-26)

- <Claim 10>

A method for delivering messages, the method comprising the steps of:

sending an identifier for an article delivery of which is requested and
(Column 5, lines 1-17)an electronic message directed to a receiver of the article
to a server; (Column 4, lines 63-67)

sending the server a request to update the electronic
message sent; and (Column 6, lines 27-28)

causing the server to update the electronic message on the basis of
the sent request for update in the case of delivery of an article associated in the
server with an identifier included in the request for update being judged by the
server not complete.

Conclusion

8. The prior art made of record and not relied upon is considered
pertinent to the applicant's disclosure.

- Bosco (U.S. Patent Number 6,335,963) discloses a system and method
for providing notification of a received electronic mail message.
- Hasegawa (U.S. Patent Number 6,510,438) discloses electronic mail
system, method of sending and receiving electronic mail and storage
medium.
- Namekawa (U.S. Patent Number 6,237,027) discloses electronic mail
system, computer device and remote notification method.

- Ichimura (U.S. Patent Number 6,496,573) discloses a communication apparatus and communication method.
- Flynn et al. (U.S. Patent Number 6,618,747) discloses a system and method for a user to verify receipt of an electronic communication.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faruk Hamza whose telephone number is 571-272-7969. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached at 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll –free).

Faruk Hamza

Patent Examiner

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Bharat Barot.
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PRIMARY EXAMINER